

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the following comments are respectfully requested.

Claims 2 and 10 – 14 are pending in the application. Currently, no claims have been allowed.

By the present amendment, claim 14 has been amended to overcome the indefiniteness rejection.

In the office action mailed August 15, 2003, claims 2 and 10 – 14 were rejected under 35 U.S.C. 112, first paragraph; claim 14 was rejected under 35 U.S.C. 112, second paragraph; claim 2 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,103,480 to Mason; and claims 2 and 10 – 14 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 8-245118.

The foregoing rejections are traversed by the instant response.

The instant application relates to an elevator noise and vibration isolation system. The system comprises an elevator component, a second component, at least one vibration isolator positioned between the elevator component and the second component. Each vibration isolator has a plurality of layers with at least one layer being a hard layer and at least one layer being a soft layer. The elevator component comprises an elevator cab and the second component comprises a guide rail. The at least one layered vibration isolator is connected to the guide rail and to the elevator cab.

With respect to the rejection of claims 2 and 10 – 14 under 35 U.S.C. 112, first paragraph, the Examiner is hereby requested to withdraw the rejection in light of the following comments. It is believed that the Examiner has misread the specification. The paragraph bridging pages 3 and 4 of the specification describes what has been typically done. The invention that is being claimed however is the invention described in the paragraph on page 4, lines 3 – 13. The claims are consistent with the disclosure and explain fully what is connected to the elevator cab. One of ordinary skill in the art would not have any problem making and/or using the claimed system in light of this portion of the specification.

The rejection of claim 2 over Mason fails for one simple reason – it does not teach or suggest the claimed multi-layered vibration element with at least one hard layer and at least one

soft layer. The only vibration isolator in Mason is made solely from rubber. The element 17 is incorrectly identified as being part of the vibration isolator. The element 17 is a gib that is formed of iron wood and preferably that species of iron wood commercially known as desert iron wood. See page 1, right hand column, lines 8 – 13. Applicant's position is further supported by that portion of Mason on page 1, right hand column, lines 16 – 26 wherein the cushioning member is described as being an elastic material, preferably rubber and wherein it is stated that the purpose of the cushioning member is to render the sliding movement of the gib on the guiding rail as being noiseless.

The rejection of claims 2 and 10 – 14 over Japanese patent publication no. 8-245118 fails for one simple reason. The Japanese patent publication does not teach or suggest a multi-layered vibration isolator with at least one hard layer and at least one soft layer. The Japanese patent publication merely discloses the use of a vibration proof rubber (22). The rubber (22) is vulcanized and adhered on an upper surface or a lower surface of a horizontal piece of an installation bracket (21). The shoe support metal (25) is connected to the vibration proof rubber (22) through a bolt (24) and a plate (23) as an L-shaped bracket (27) is welded vertically on the rising part (20a). Attached hereto is a computer generated translation of the Japanese patent publication. There is no mention of the multi-layered vibration isolator of the present invention.

Claim 10 is allowable because the cited reference does not teach or suggest the vibration isolator construction set forth in the claim. The vibration isolator in the Japanese patent publication is made solely from vulcanized rubber.

Claim 11 is allowable for the same reasons as claim 10 as well as on its own accord.

Claim 12 is allowable because the cited reference does not have a multi-layered isolator connected at a first end to a flange member joined to said guide rail.

Claim 13 is allowable because the cited reference does not have a multi-layered isolator joined to a bracket with an aperture that allows the bracket to be connected to an elevator cab.

Claim 14 is allowable because the cited reference does not teach or suggest the claimed first and second layered vibration isolators.

The rejection of claim 14 on indefiniteness grounds has been mooted by the present amendment. It is submitted that this amendment does not raise any new issue which would require further search and/or consideration by the Examiner. It is also submitted that this

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amendment does not raise any issue of new matter. Thus, the instant amendment should be entered.

For the foregoing reasons, the instant application is believed to be in condition for allowance.

A notice of appeal is attached hereto in the event that the Examiner maintains the rejections of record.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, he is invited to contact Applicant's attorney at the telephone number listed below.

A check in the amount of \$330.00 is enclosed herewith to cover the cost of the Notice of Appeal. Should the Commissioner determine that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

Goldino Sousa Alves

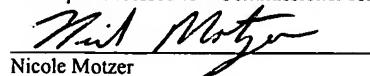
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on November 14, 2003.


Nicole Motzer